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Part two: biennial programme plan

Programme 20
International protection, durable solutions and assistance to refugees

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Overall orientation

20.1 The overall objective of the programme is to ensure international protection to refugees and others of concern to the Office of the United Nations High Commissioner for Refugees (UNHCR) and to seek permanent solutions to their problems in cooperation with States and other organizations, including through the provision of humanitarian assistance.

20.2 The mandate for the programme is contained in General Assembly resolution 319 A (IV), by which the Assembly established UNHCR as from 1 January 1951, and resolution 428 (V), which sets out the statute of the Office. The Assembly has also called upon the High Commissioner to ensure that refugees returning voluntarily to their countries of origin ("returnees") receive assistance to help in their sustainable reintegration, as well as to monitor their safety and well-being upon return (see resolution 40/118). UNHCR has also been mandated to address the situation of stateless persons in accordance with the Convention relating to the Status of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961) (see resolution 50/152). In addition, on the basis of specific requests from the Secretary-General or the competent principal organs of the United Nations and with the consent of the State concerned, UNHCR provides humanitarian assistance and protection to internally displaced persons (see resolution 48/116), working in cooperation with the United Nations Emergency Relief Coordinator (see resolution 58/153). In its work for internally displaced persons and as part of the collaborative response of the United Nations system to internal displacement, UNHCR has been given special lead or co-lead responsibility for the following three cluster areas: protection, emergency shelter and camp management/coordination. Addressing the protection needs of these various categories of persons "of concern" to UNHCR, although some may not or may no longer be refugees, also forms an integral part of the programme.

20.3 As regards the assistance activities of UNHCR, the basic provisions of its statute were built upon by the Assembly in its resolution 832 (IX). Through the adoption by the Assembly of its resolution 58/153 on implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of the Office to carry out its mandate, UNHCR was given a renewed mandate to address the challenge of forced displacement through a mission based on a spirit of solidarity, responsibility and burden-sharing, with an abiding commitment to make the Office a truly multilateral institution.

20.4 The international legal basis for the protection of refugees finds its principal expression in the 1951 Convention and the 1967 Protocol relating to the Status of Refugees. There are a number of regional instruments of relevance, such as the Convention Governing the Specific Aspects of Refugee Problems in Africa of the Organization of African Unity (now the African Union), the Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama and the San José Declaration on Refugees and Displaced Persons. The 2009 African Union Convention for the Protection of and Assistance to Internally Displaced Persons in Africa sets out a regional legal regime regarding internally displaced persons. The international legal basis for addressing the situation of stateless persons stems from the 1954 and 1961 Conventions. In addition, other international human rights instruments, such as the 1989 Convention on the Rights of the Child, are relevant in providing international

protection to refugees, stateless persons, internally displaced persons, returnees and others of concern.

20.5 The overall strategy that will be followed consists of a range of activities undertaken in cooperation with States and various organizations. It incorporates concerted responses to the challenges met by the Office in the previous biennium, including an increasingly urban-based population of concern, the growing complexity of the asylum-migration nexus and the Office's expanded activities for internally displaced persons.

20.6 The Office will also review and consolidate the results of reforms to increase efficiency, transparency and accountability in its operations following the conclusion of the structural and management change process in 2009. This will include a sustained emphasis on the institutionalization of results-based management through further harmonization of the operations management cycle and enhanced programme analysis and evaluation functions. The expected accomplishments and indicators of achievement for the programme reflect the outcomes of changes to strengthen results orientation in 2009, including a new budget structure and results framework for assessment, planning and reporting. Refinements to operations management, including the use of indicators, will be made in the course of the biennium 2010-2011. Initiatives to strengthen the effectiveness of the Office's response to the needs of those of concern will also include reinforcement and integration of supply chain management, logistics and emergency response capacities and further review of human resource processes, information systems and telecommunications.

20.7 Notable among the activities to be implemented in the biennium 2012-2013 are the following:

(a) Pursuing comprehensive strategies, in cooperation with States and organizations, for achieving durable solutions for refugees and others of concern, notably through voluntary return, and, where appropriate and feasible, through local integration and resettlement, while promoting effective protection in displacement;

(b) Strengthening the legal regime for international protection, including through the promotion of accessions to international and regional instruments relating to the status of refugees or otherwise benefiting refugees, the effective implementation of refugee rights and the promotion and dissemination of refugee law and protection principles;

(c) Enhancing and reinforcing host country capacities to provide asylum and protection;

(d) Ensuring that UNHCR fully participates in and supports the strengthened collaborative response of the United Nations to situations of internal displacement through its leadership and coordination of areas for which the Office has been given special responsibility under the "cluster approach": protection, emergency shelter and camp management/coordination;

(e) Further developing contingency planning, emergency preparedness and response capabilities, in coordination with other organizations, so as to respond effectively and efficiently to situations of forced displacement;

(f) Ensuring that UNHCR and its partners incorporate into all aspects of the delivery of humanitarian assistance the particular needs and capacities, ascertained

through participatory assessments, of refugee women and children, elderly refugees, refugees with disabilities and other persons with specific needs, as well as ensuring that UNHCR and its partners also provide protection and humanitarian assistance in a manner that is supportive of and reinforces development initiatives to the extent possible;

(g) Further developing, in consultation with concerned parties, options to ensure the security of refugee camps, settlements and areas of return, as well as their civilian and humanitarian character, and exploring further concrete ways of enhancing the safety and security of UNHCR staff and other humanitarian workers working with refugees and returnees. In this regard, due consideration should be given to the obligation of United Nations officials to observe fully both the laws and regulations of Member States and their duties and responsibilities to the Organization;

(h) Systematically following up on relevant recommendations in the plans of action emanating from recent international conferences, especially the plan of action related to the Millennium Development Goals, and involving other humanitarian and development organizations, both national and international, in the provision of assistance to refugees, returnees, stateless persons, internally displaced persons and host communities, as well as in the search for durable solutions.

20.8 The programme is under the intergovernmental guidance of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, in accordance with its terms of reference, as adopted by the General Assembly in its resolution 1166 (XII). Pursuant to the request of the General Assembly in that resolution, the Economic and Social Council, in its resolution 672 (XXV) established the Executive Committee of the High Commissioner's Programme, which came into existence on 1 January 1959. Reaffirming the terms of reference laid down by the General Assembly, the Council decided that the Executive Committee, being entrusted with the terms of reference set forth in General Assembly resolution 1166 (XII), should: (a) determine the general policies under which the High Commissioner should plan, develop and administer the programmes and projects required to help solve the problems referred to in its resolution 1166 (XII); (b) review at least annually the use of funds made available to the High Commissioner and the programmes and projects being proposed or carried out by the Office of the High Commissioner; and (c) have authority to make changes in and give final approval for the use of funds and the programmes and projects referred to in subparagraphs (a) and (b) above. In subsequent resolutions, the General Assembly, the Economic and Social Council and the Executive Committee of the Programme of the High Commissioner have called upon the Office, in the context of its basic mandate, to assist other groups of persons regarded as falling under the competence of the High Commissioner. Although established by the Economic and Social Council, which elects its members, the Executive Committee functions as a subsidiary organ of the General Assembly and it is the key governing body of UNHCR. It advises the High Commissioner in the exercise of his or her functions and approves the use of extrabudgetary funds made available to the High Commissioner. The annual cycle of meetings of the Executive Committee consists of one annual plenary session and a number of intersessional meetings of the Standing Committee. Reports on the sessions of the Executive Committee are submitted to the General Assembly as addenda to the reports of the High Commissioner. Pursuant to General Assembly resolution 64/128 on the

enlargement of the Executive Committee, the membership of the Committee may be increased from 78 to 79 States.

20.9 The High Commissioner, who is elected by the General Assembly on the nomination of the Secretary-General, provides the overall direction, supervision and management of the activities under this programme. The functions of the High Commissioner are set out in the annex to the statute of UNHCR. The High Commissioner is assisted by a Deputy High Commissioner and by two Assistant High Commissioners, for Protection and for Operations, respectively.

Objective of the Organization: To ensure international protection to refugees and other persons of concern to the United Nations High Commissioner for Refugees and to achieve permanent solutions to their problems in cooperation with States and other organizations, including through the provision of humanitarian assistance

Expected accomplishments of the Secretariat	Indicators of achievement
(a) Improved overall protection environment for refugees and others of concern	(a) (i) Increased number of ratifications/accessions to the 1954 and 1961 Conventions related to Statelessness and to the 2009 Convention for the Protection of and Assistance to Internally Displaced Persons in Africa
	(ii) Increased number of national and regional migration policies that contain protection standards broadly in line with international protection standards
	(iii) Increased number of countries whose legislative frameworks are broadly in line with international standards
(b) Refugees and others of concern are treated fairly and efficiently when seeking protection, and receive adequate documentation	(b) (i) Increased percentage of refugees and asylum-seekers who are registered on an individual basis
	(ii) Increased percentage of refugees and others of concern receiving individual identity and civil documentation
(c) Increased safety from violence and exploitation for refugees and others of concern, especially women and children	(c) (i) Increased percentage of survivors of sexual and gender-based violence receiving psychosocial, medical, legal or other appropriate support
	(ii) Increased percentage of unaccompanied and separated children who have undergone a best interests determination

(d) The basic needs of refugees and others of concern are met and essential services are provided without discrimination and with specific consideration to age, gender and physical condition	(d) (i) Increased number of camps reporting an acceptable rate of global acute malnutrition (ii) Increased percentage of households of refugees and others of concern with adequate dwellings (iii) Increased number of countries where the mortality rate of children of concern under 5 years of age meets acceptable standards (iv) Increased percentage of refugee children aged 6 to 11 enrolled in primary education
(e) Refugees and others of concern, both men and women, participate equally within their communities and their self-reliance is promoted	(e) (i) Increased number of operations reporting that refugees and others of concern are represented sufficiently in community leadership and management structures (ii) Increased number of sites where management structures have 50 per cent active female participation (iii) Increased number of countries where refugees and others of concern are able to engage in livelihoods and become self-sufficient
(f) Progress in finding durable solutions for refugees supported by sustained international cooperation	(f) (i) Increased number of countries where refugees and others of concern are able to return with a means of livelihood or with productive assets (ii) Increased number of countries to which refugees and others of concern are able to return with sufficient re-establishment of their national rights (iii) Increased number of resettlement places made available to refugees who face protection risks and/or who have limited prospect for attaining other durable solutions to their situation
(g) Strengthened partnership and emergency response capacity to provide the fullest possible coverage of the needs of persons of concern	(g) (i) Increased percentage of UNHCR budget implemented through partners (ii) Increased percentage of occurrences in which UNHCR is able to respond to the emergency need of 500,000 persons within 72 hours

Strategy

20.10 The implementation of the programme falls under the overall responsibility of the regional bureaux of UNHCR, the Division of International Protection Services and the Division of Programme Support and Management. The overall objectives related to ensuring international protection and finding durable solutions are multifaceted and depend on legal frameworks and protection environments. Further accessions to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees as well as to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness will be promoted. Monitoring of the observance by States of international legal standards for the treatment of refugees, especially the fundamental principles of access to asylum and non-refoulement, will contribute to ensuring the effective implementation of refugee rights by the States concerned. This will involve ensuring that States have established fair and efficient procedures for the determination of refugee status and to ensure that all persons seeking international protection are granted access to those procedures and mechanisms. Renewed efforts are being made by UNHCR and its partners to provide protection and operational services in States that have not yet established protection frameworks.

20.11 The Office will continue to encourage States to ensure the protection of refugees and others of concern within broader migration movements. The frame of reference for UNHCR activities in this regard is its 10-point plan of action for refugee protection and mixed migration, which provides a framework of protection tools that could be built into broad migration strategies that take into account international protection needs while creating solutions tailored to the various categories of people in mixed migration movements. Similarly, with much international migration taking place by sea, UNHCR will continue to be involved in issues related to the disembarkation of mixed-migration groups and the search for solutions for those rescued at sea or found as stowaways and who are in need of international protection.

20.12 To ensure a more effective response to the protection needs of refugee women, children and adolescents, a more concerted effort will be made to mainstream policies and guidelines relating to those groups of refugees through the work of specially trained interdisciplinary UNHCR country teams. In addition, partnerships will be established with a broad range of actors, for example, under such initiatives as Women Leading for Livelihoods, in which economic empowerment is pursued for refugee and internally displaced women and girls with the support of prominent professional women from around the world.

20.13 The promotion and dissemination of refugee law and protection principles, particularly through training, in cooperation with non-governmental organizations, academic institutions and other relevant organizations of governmental and non-governmental officials, will be another means of achieving the stated objective. In addition, when UNHCR provides protection to internally displaced persons, it will do so on the basis of criteria enumerated in the relevant resolutions of the General Assembly and in close collaboration with other concerned entities and agencies. To revitalize old partnerships and build new ones in support of the international refugee protection system, efforts to promote collaboration on refugee protection with a wide range of actors, including the Office of the United Nations High Commissioner for Human Rights, will be continued. Efforts will be made to

promote the development of more comprehensive and regional approaches in order to find durable solutions, especially for those in protracted refugee situations.

20.14 UNHCR will pursue a number of strategies to ensure the optimal alignment of its operational objectives and resources with the needs of refugees and others of concern. The Office will build upon the positive results of comprehensive and participatory approaches to planning to ensure that the needs and capacities of men, women and children of concern form the foundation of programme design. This will include the use of standards and indicators across the full spectrum of the work of the Office as a means of identifying protection and assistance gaps and channelling resources to ensure that an acceptable standard is met in critical situations. Tools for recording operational data, including demographic, registration and profiling information, situational analysis and planning will be systematized to improve global analysis and evaluation of results. Population data management systems will also be upgraded to strengthen services, including emergency registration, provision of assistance, protection monitoring and resettlement, and in order to facilitate the work of partners.

20.15 UNHCR will proactively engage in comprehensive strategies to address urban displacement, including by promoting livelihoods and community participation, facilitating access to basic services and meeting material needs where appropriate. The Office will continue to pursue specific strategic plans in the areas of HIV and AIDS, malaria control, nutrition and food security, reproductive health and water and sanitation to ensure that prevention, care and treatment policies and programmes meet international standards during all phases of the displacement cycle. It will strengthen the means for monitoring and raising standards in other key areas of assistance and service delivery, such as reintegration, shelter and the provision of basic domestic and hygiene items. The design of assistance programmes will promote the resolution of protracted situations of displacement by increased emphasis on self-reliance and education. UNHCR will continue to pursue policies that mitigate the environmental effects of displacement through adequate protection and the management of natural resources.

20.16 Effective operational and strategic partnerships will continue to be a priority for the Office, as a means of enhancing protection, increasing efficiency and strengthening local capacities for response. The Office will promote increased implementation of its programmes by national partners and strengthen participation in inter-agency responses.

20.17 The Office will work to strengthen and enhance its emergency preparedness and response capacity under the leadership of the Division of Emergency, Security and Supply and in support of field operations. The overall strategy will integrate preparedness and the response and supply chain, supported by the necessary staff security coverage to ensure the reliable, timely and cost-effective delivery of critical services to persons of concern in complex emergencies, as well as in more stable situations. This will also involve the development, maintenance and deployment of emergency tools and resources, including rapid response staff; training; contingency planning support; and inter-agency cooperation. An integrated stock management system and improved forecasting and business support will enhance the responsiveness and sustainability of UNHCR programmes from the onset of an emergency until a solution is reached.

Legislative mandates

Conventions and conference declarations

Convention relating to the Status of Refugees (1951) and its Protocol (1967)

Convention relating to the Status of Stateless Persons (1954)

Convention on the Reduction of Statelessness (1961)

Organization of African Unity Convention governing the specific aspects of refugee problems in Africa (1969)

Cartagena Declaration on Refugees (1984)

Convention on the Rights of the Child (General Assembly resolution 44/25) (1989)

San José Declaration on Refugees and Displaced Persons (1994)

General Assembly resolutions

58/153	Implementing actions proposed by the United Nations High Commissioner for Refugees to strengthen the capacity of his Office to carry out its mandate
64/127	Office of the United Nations High Commissioner for Refugees
64/128	Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees
64/129	Assistance to refugees, returnees and displaced persons in Africa

Executive Committee

A/AC 96/965/Add.1	Agenda for Protection